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5 **DISTRICT COURT**
6 **CLARK COUNTY, NEVADA**

7 DAVID BRIGHAM YOUNG,
8 Plaintiff,
9 vs.
10 MERCURY CASUALTY COMPANY,
11 Defendants.

12 CASE NO.: 2:12-CV-00091-RFB-GWF

13 **PLAINTIFF'S LR 6-1 REQUEST FOR**
EXTENSION OF TIME ON ORDER
SHORTENING TIME TO RESPOND TO
DEFENDANT'S MOTIONS IN LIMINE
3 THROUGH #12
(THIS IS PLAINTIFF'S FIRST REQUEST)

14 Plaintiff, David Brigham Young, by and through his counsel of record, Barbara I.
15 Johnston, Esq., herein file PLAINTIFF'S LR 6-1 REQUEST FOR ORDER SHORTINING
16 TIME TO RESPOND TO DEFENDANT'S MOTIONS IN LIMINE #3 THROUGH #12.
17 THIS MOTION is based on the Pleadings and Discovery on file in this case, this memorandum of
18 points and authorities herewith, Plaintiff's Declaration, including any documents and/or exhibits
19 attached thereto, and any oral argument this Court may entertain at the time of hearing of this
20 matter.

21 Dated this 21st day of July, 2016.

22 _____/BIJ/ _____
23 BARBARA I. JOHNSTON, ESQ.
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MEMORANDUM OF POINTS AND AUTHORITIES

A. Authority and Applicable Standard:

Local Rule 6-1. Requests for Continuance, Extension of Time or Order Shortening Time.

- a) Every motion requesting a continuance, extension of time, or order shortening time shall be "Filed" by the Clerk and process as an expedited matter. *Ex Parte* motions and stipulations shall be governed by LR 6-2.
- b) Every motion or stipulation to extend time shall inform the Court of any previous extension granted and state the reasons therefore the extension requested. This is Plaintiff's first Request. A request made after the expiration of the specified period shall not be granted unless the moving party, attorney, or other person demonstrates that the failure to act was the result of excusable neglect. Immediately below the title of such motion or stipulation there shall also be included a statement indicating whether it is the first, second, third, etc., requested extension.

B. Facts and Argument Supporting Request:

The Court's Amended Order Regarding Trial [200] set the Motions In Limine filing deadline for **Monday, July 18, 2016**, with Responses due **July 25, 2016**, the following Monday. Defendant filed MIL's # 3 through #12, are substantive and lengthy with multiple exhibits attached thereto. Also, Mr. Carman and this counsel are meeting on **Friday, July 22, 2016**, pursuant to F.R.C.P. 26(e), Supplementing Disclosures and Responses to Exchange Exhibits, and to Discuss Findings of Facts and Conclusion of Law, and the LR 16-4, Pretrial Order.

The due date for the Responses for the MIL's as well as the Jury Instructions are also due on the same date. As of this time, I have hired a law clerk to assist, but she was out of the office for three days this week and I am solely attempting to file well-written, researched and substantive Responses, which is taking more time than I have to complete all nine Responses by Monday, even working very long days and anticipating working the entire weekend, as well.

While normally, with the MIL's due on Monday, July 18th, one could print them out, set up binders, and begin working on the Responses, but all of Mercury's MIL's were filed well after 5:00

1 pm, and the last one was 7:16 pm, such that Monday was unavailable to work on the Motions in
2 Limine, leaving only Tuesday through Friday as full work days.

3 Before filing the instant motion, I conducted a meet and confer with Mr. Catman, counsel
4 for Mercury Casualty Company, requesting that we Stipulate to add two or three additional days to
5 the due date, and he refused. Therefore, this is a request to Extend the time to file the Responses
6 from **July 25th, 2016** to Thursday, **July 28, 2016** by **5:00 pm**, to file Responses to the nine (9) new
7 substantial Motions in Limine, all of which require research, analysis, and drafting a competent and
8 cohesive Response.

10 Should the Court be inclined to grant the Requested Relief, Plaintiff requests that the Court
11 allow three days, making the Responses due **July 28, 2016 by 5:00 pm**.
12

13
14 Respectfully Submitted,

15 DATED this 21st day of July, 2016.
16

17
18 _____/bij/ _____
19 Barbara L. Johnston, Esq.
20 8309 Shad Bush Avenue
21 Las Vegas, NV. 89149
22 (702) 684-6163
23 Attorney for Plaintiff, David Young

24
25 ORDER

26 IT IS SO ORDERED.
27



28 RICHARD F. BOULWARE, II
United States District Judge

DATED: July 22, 2016.

CERTIFICATE OF SERVICE

1. On the 21st day of July, the undersigned served the below-named document(s) by the following means to the persons as listed below:

**PLAINTIFF'S LR 6-1 REQUEST FOR EXTENSION OF TIME ON ORDER
SHORTENING TIME TO RESPOND TO DEFENDANT'S MOTIONS IN LIMINE
3 THROUGH #12 (THIS IS PLAINTIFF'S FIRST REQUEST)**

a. ECF System to:

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